

It maintains its own trade group hitmen, like the American Petroleum Institute. It funnels secret money by the tens of millions into Republican super-PACs and other secret, partisan political spending fronts in a not-so-hostile takeover of the Republican Party, and it wrote some of the biggest checks to pay for the scheme, funneled through dark-money conduits like DonorsTrust and the Judicial Crisis Network.

When I say we now have the Court that dark money built, it is probably more accurate to say that we now have the Court that dark fossil fuel money built. So watch out for the six-Justice supermajority that is poised to rule in this no case “case.”

It is no surprise that the amici—the amicus curiae, the so-called friends of the Court—gathered in this case read like a who’s who of fossil fuel polluter front groups. The Competitive Enterprise Institute, for instance, produces hothouse attacks on the EPA’s authority, and is funded by ExxonMobil, Murray Energy, the American Fuel and Petrochemical Manufacturers, the American Petroleum Institute, and the Koch brothers’ political groups. Fossil fuel front groups, as amici and litigants, sing a harmonious chorus of “unitary executive” and “nondelegation” and “major question”—all concocted doctrines targeting the administrative state they so resent.

Back before the takeover, here is what the Court said in a case called *Mistretta*.

The Court said this:

In our increasingly complex society, replete with ever changing and more technical problems, Congress simply cannot do its job absent an ability to delegate power under broad general directives.

That is the language of the Court:

In our increasingly complex society, replete with ever changing and more technical problems, Congress simply cannot do its job absent an ability to delegate power under broad general directives.

That is the precedent of the Court. That is the law of the land, and it is the law that special interests sent these Justices to the Court to deconstruct. So get ready.

To be continued.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PETERS). Without objection, it is so ordered.

REMEMBERING JULIE BECKETT

Ms. HASSAN. Mr. President, I rise today to honor the incredible life and legacy of Julie Beckett, a champion for individuals who experience disabilities and for their families.

In 1978, Julie’s daughter Katie was born, and 4 months later, Katie con-

tracted a brain infection that left her paralyzed and on a ventilator. After 2 years of living in a hospital, Katie’s family had reached the limit on their health insurance policy and applied for support through Medicaid but were told that Medicaid would not cover at-home care.

Julie and her husband, Mark, knew they did not want their daughter growing up in a hospital, especially when she could receive the care that she needed at home while also being with her loved ones.

Faced with uncertainty and with Federal officials who would not make an exception, Julie reached out to her Congressman. Julie noted that making this exception for her daughter would not only be good for her family but also that keeping her at home rather than at a hospital would cost the government far less money.

Julie’s advocacy worked. Because she made the choice to speak up and share her story, Congress passed and President Reagan signed into law an exception to Medicaid rules that enabled Julie’s family and many others to care for their loved ones at home.

Julie’s work has had a profound impact on not just her own family but countless others, including my own. My son Ben experiences severe physical disabilities, and because of Julie’s advocacy, he could grow up at home and with family. And because he was able to live at home, Ben had the opportunity to go to school, to learn, and make friends in our community.

The terrible reality is that before Julie, many children grew up in hospitals or in institutionalized care, instead of surrounded by the love and care of their families, siblings, and neighbors.

But my family’s story is not unique. In the decades since, what is now known as the Katie Beckett waiver has changed hundreds of thousands of lives. More than half a million children have received these waivers and have been able to live, grow, and thrive at home.

Julie’s story is an example of how one person can make a true difference in our democracy. And even after her successful work in securing this significant exception for Medicaid, Julie kept fighting for children who experienced disabilities. She helped lead a charge to expand coverage and fought against attempts to repeal the Affordable Care Act. And critically, she worked with families throughout the country to show them how they could be advocates as well.

Julie passed away last month, but her legacy will live on in the lives that she has changed and the advocacy that she helped to inspire. I am profoundly grateful for her work, and I join with people across the country in committing to carrying on her legacy of fighting to fully include people with disabilities in every facet of American life.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

ORDER OF PROCEDURE

Ms. HASSAN. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, and notwithstanding rule XXII, it be in order for Senator PAUL or his designee to make a motion to proceed to Calendar No. 397, S. Con. Res. 41 on Wednesday, June 15, 2022; further, if the motion to proceed is agreed to, the Senate resume consideration of Calendar No. 388, H.R. 3967, postcloture, and that upon disposition of the Calendar No. 388, H.R. 3967, the Senate resume consideration of Calendar No. 397, S. Con. Res. 41.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT—EXECUTIVE CALENDAR

Ms. HASSAN. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 925, Alan M. Leventhal, to be Ambassador to the Kingdom of Denmark; that there be 10 minutes for debate equally divided in the usual form on the nomination; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that any statements related to the nomination be printed in the Record; that the President be immediately notified of the Senate’s action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE ANTITRUST ENFORCEMENT VENUE ACT OF 2021

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 261, S. 1787.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1787) to amend title 28 of the United States Code to prevent the transfer of actions arising under the antitrust laws in which a State is a complainant.

There being no objection, the Senate proceeded to consider the bill.

Ms. HASSAN. Mr. President, I ask unanimous consent that the Lee amendment which is at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5096) was agreed to, as follows:

(Purpose: To strike the retroactive effective date)

Strike section 3.

The bill (S. 1787), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “State Anti-trust Enforcement Venue Act of 2021”.

SEC. 2. AMENDMENTS.

Section 1407 of title 28 of the United States Code is amended—

- (1) in subsection (g) by inserting “or a State” after “United States”, and
- (2) by striking subsection (h).

AIR AMERICA ACT OF 2021

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 370, S. 407.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 407) to provide redress to the employees of Air America.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Air America Act of 2022”.

SEC. 2. AIR AMERICA.

(a) FINDINGS.—Congress finds the following:

(1) Air America, Incorporated (referred to in this section as “Air America”) and its related cover corporate entities were wholly owned and controlled by the United States Government and directed and managed by the Department of Defense, the Department of State, and the Central Intelligence Agency from 1950 to 1976.

(2) Air America, a corporation owned by the Government of the United States, constituted a “Government corporation”, as defined in section 103 of title 5, United States Code.

(3) The service and sacrifice of the employees of Air America included—

(A) suffering a high rate of casualties in the course of employment;

(B) saving thousands of lives in search and rescue missions for downed United States airmen and allied refugee evacuations; and

(C) lengthy periods of service in challenging circumstances abroad.

(b) DEFINITIONS.—In this section—

(1) the term “affiliated company”, with respect to Air America, includes Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport;

(2) the term “qualifying service” means service that—

(A) was performed by a United States citizen as an employee of Air America or an affiliated company during the period beginning on January 1, 1950, and ending on December 31, 1976; and

(B) is documented in the attorney-certified corporate records of Air America or any affiliated company;

(3) the term “survivor”, with respect to an individual who performed qualifying service, means—

(A) a widow or widower of the individual who performed qualifying service; or

(B) an individual who, at any time during or since the period of qualifying service, was a dependent or child of the individual who performed qualifying service; and

(4) the terms “widow”, “widower”, “dependent”, and “child” have the meanings given those terms in section 8341(a) of title 5, United States Code, except that that section shall be applied by substituting “individual who performed qualifying service” for “employee or Member”.

(c) CREDITABLE SERVICE.—Any period of qualifying service shall be treated as creditable service for purposes of subchapter III of chapter 83 of title 5, United States Code.

(d) RIGHTS.—

(1) IN GENERAL.—An individual who performed qualifying service or a survivor of such an individual—

(A) shall be entitled to the rights, retroactive as applicable, provided to employees and their survivors for creditable service under the Civil Service Retirement System under subchapter III of chapter 83 of title 5, United States Code, with respect to that qualifying service; and

(B) may submit an application for benefits based on the qualifying service to the Office of Personnel Management not later than 2 years after the effective date under section 2(g) of this Act.

(2) INDIVIDUALS DECEASED BEFORE DATE OF ENACTMENT.—A survivor of an individual who performed qualifying service and became eligible, by reason of this Act, for benefits based on the qualifying service under subchapter III of chapter 83 of title 5, United States Code (but became deceased before the date of enactment of this Act)—

(A) may submit an application for benefits based on the qualifying service to the Office of Personnel Management not later than 2 years after the effective date under section 2(g) of this Act, disregarding any requirement that an employee have filed an application while living; and

(B) upon submission of the application under subparagraph (A), shall be eligible for a survivor annuity under section 8341 of title 5, United States Code, equal to 55 percent (or 50 percent if the deceased individual retired before October 11, 1962) of the self-only annuity (as defined in section 838.103 of title 5, Code of Federal Regulations (or any successor regulation)) that otherwise would have been paid to the deceased individual.

(e) DEDUCTION, CONTRIBUTION, AND DEPOSIT REQUIREMENTS.—The deposit of funds in the Treasury of the United States made by Air America in the form of a lump-sum payment apportioned in part to the Civil Service Disability and Retirement Fund in 1976 is deemed to satisfy the deduction, contribution, and deposit requirements under section 8334 of title 5, United States Code, with respect to all periods of qualifying service.

(f) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to set any type of precedent for purposes of civil service retirement credit with the Civil Service Retirement and Disability Fund or any successor fund.

(g) EFFECTIVE DATE.—This Act shall take effect on the date that is 30 days after the date of enactment of this Act.

Ms. HASSAN. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 407), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2022 AS STROKE AWARENESS MONTH

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 672, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 672) expressing support for the designation of May 2022 as “Stroke Awareness Month”.

There being no objection, the Senate proceeded to consider the resolution.

Ms. HASSAN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 672) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

AUTHORIZING THE COMMITTEE ON RULES AND ADMINISTRATION TO PREPARE A REVISED EDITION OF THE STANDING RULES OF THE SENATE

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 673, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 673) authorizing the Committee on Rules and Administration to prepare a revised edition of the Standing Rules of the Senate as a Senate document.

There being no objection, the Senate proceeded to consider the resolution.

Ms. HASSAN. I further ask that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 673) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)